

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Permit by Rule for Onsite Treatment of Aqueous Wastes Containing Cyanides R-96-48		CCR Title & Sections Affected: Title 22: 67450.11, Title 27: Chapter 4 Appendix A & C		Statutes Being Implemented: Health and Safety Code sections 25150 and 58012	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Evelia Rodriguez (916) 322-3810	Projected Dates:			
		Notice Published: 06/07	Public Hearing: 07/07	Adoption by DTSC: 04/08	To OAL for review: 04/08
Report on the status of all uncompleted rulemaking described on previous calendars: A 15-day Post-Hearing Notice occurred in February, 2008.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Management of Munitions R-97-20		CCR Title & Sections Affected: Title 22: 66260.10, 66261.2, 66262.10, 66263.10, 66264.1, 66264.70, 66265.1, 66265.70, 66270. 1, 66270.42, new Chapter 17, section numbers to be determined.		Statutes Being Implemented: Health and Safety Code sections 25010, 25150 and 25201	
Responsible Agency Unit: Department of Toxic Substances Control, Hazardous Waste Management Program	Contact Person & Phone Number: Jan Smith (916) 324-0705	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>The requirements of the federal Military Munitions Rule (MMR) must each be addressed, though not necessarily adopted, to retain DTSC's RCRA Authorization. At this point, the policy direction is to not adopt regulations equivalent to the federal MMR, so the rulemaking is on hold. The many tasks that would have to be completed to comply with the RCRA Authorization requirements would not be designated as rulemaking tasks.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Waste Code Revision R-98-03		CCR Title & Sections Affected: Title 22: 66261.1, 66261.20, 66261.21, 66261.22, 66261.23, 66261.24, 66261.101, 66261.107, 66261.126, appendix XII of chapter 11, 66262.11, appendix of chapter 12, 66264.13, 66264.71, 66265.13, and 66265.71		Statutes Being Implemented: Health and Safety Code sections 25160.1 and 58012	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Gary Murchison (916) 322-0807	Projected Dates:			
		Notice Published: 06/08	Public Hearing: 06/08	Adoption by DTSC: 10/08	To OAL for review: 10/08
Report on the status of all uncompleted rulemaking described on previous calendars: The Initial Statement of Reasons for the proposed regulation is under going final review before the Public Notice is issued.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Site Listing Regulations R-99-14		CCR Title & Sections Affected: Title 22: 67402.1 – 67402.49		Statute Being Implemented: Health and Safety Code section 25356	
Responsible Agency Unit: Site Mitigation & Brownfields Reuse Program	Contact Person & Phone Number: Laurie Grouard (916) 323-3394	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC has decided not to proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Management Requirements for Hazardous Wastes Containing Precious Metals Regulation R-2001-12		CCR Title & Sections Affected: Title 22: 66266.100(f)		Statutes Being Implemented: Health and Safety Code sections 25150 and 58012	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: John Low (916)322-5533	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: Under review and discussion.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Overloaded Dump Truck R-2002-02		CCR Title & Sections Affected: Title 22: 66263.18, 66264.1, 66265.1, 66270.1 & 66270.300		Statutes Being Implemented: Health and Safety Code section 25150 (a)	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Bob Gipson (916) 255-3640	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC has decided not to proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Assessment of Administrative Penalties--Revision R-2003-06		CCR Title & Sections Affected: Title 22: 66272.60-66272.69		Statutes Being Implemented: Health and Safety Code sections 25187 and 25404.1.1	
Responsible Agency Unit: Enforcement and Emergency Response Program (EERP) Office of Legal Counsel	Contact Person & Phone Number: James McCammon (916) 255-3576 James Grace (916) 255-3647	Projected Dates:			
		Notice Published: 04/08	Public Hearing: 05/08	Adoption by DTSC: 07/08	To OAL for review: 07/08
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>This proposed regulation has been identified in the past several Rulemaking Calendars. Current regulations exist; however, the content is inadequate. Proposed regulation has been reviewed by Office of Legal Counsel; by the Deputy Director, EERP; and by the Deputy Director, Hazardous Waste Management Program.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Munitions and Explosives of Concern (MEC) Investigation and Remediation Requirements R-2003-09		CCR Title & Sections Affected: Title 22: 69200 – 69210		Statutes Being Implemented: Health and Safety Code sections 25351.5 and 58012.	
Responsible Agency Unit: Site Mitigation & Brownfields Reuse Program	Contact Person & Phone Number: Jim Austreng (916) 255-3702	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: This regulation proposal was submitted as part of the 2005 Rulemaking Calendar. DTSC has decided not to proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Permit by Rule for Seized Fireworks R-2003-16		CCR Title & Sections Affected: Title 22: 67450.31 through 67450.39		Statutes Being Implemented: Health and Safety Code sections 25150 and 58012	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Jan Smith (916)324-0705	Projected Dates:			
		Notice Published: 06/08	Public Hearing: 08/08	Adoption by DTSC: 10/08	To OAL for review: 10/08
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>Draft rules have been developed. Completion of the package is awaiting air emissions source test data from the prototype treatment unit, review and concurrence from the California Air Resources Board (CARB), and negotiations with various local air pollution control districts. The timeframe for the data availability depends on the source test contractor, CARB, and the local air pollution control districts.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Corrective Action Management Unit (NonRCRA/Offsite) R-2003-17		CCR Title & Sections Affected: Title 22: 66260.10, 66264.550, 66264.552, 66264.552.5		Statutes Being Implemented: Health and Safety Code sections 25150 and 25159.5	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Li Tang (916) 322-2505	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC will not proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Registered Environmental Assessor (REA) Program: Performance Standards R-2004-05		CCR Title & Sections Affected: Title 14, Section 19030 et seq.		Statutes Being Implemented: Health and Safety Code Section 25570.3	
Responsible Agency Unit: Program Services Unit - Registered Environmental Assessor Program	Contact Person & Phone Number: Jennifer Black-Gallagher (916) 324-3148	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC has decided not to proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Water Quality Monitoring Requirements for Hazardous Waste Land Disposal Units R-2004-11		CCR Title & Sections Affected: Title 22: 66264.90, 66264.97, 66264.98, 66264.99, 66264.100, 66265.90, 66265.97, 66265.98, 66265.99		Statutes Being Implemented: Health and Safety Code sections 25150 & 25159.5	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Susan Solarz (916) 324-1799	Projected Dates:			
		Notice Published: 04/08	Public Hearing: 06/08	Adoption by DTSC: 08/08	To OAL for review: 08/08
Report on the status of all uncompleted rulemaking described on previous calendars: Regulatory Concept Workshop 03/30/07.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Lead-Based Paint Debris R-2004-15		CCR Title & Sections Affected: AB 2877 provides DTSC with the authority to adopt regulations for the management of lead based paint debris by January 1, 2008.		Statutes Being Implemented: AB 2877 (Aghazarian) (stats. 2004, ch. 175)	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Nancy Ostrom (916) 322-3385	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC has decided not to proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Class 1 Permit Modifications R-2005-10		CCR Title & Sections Affected: Title 22: 66270.42 and 66270.42.5		Statutes Being Implemented: Health and Safety Code sections 25200.15, 25150 and 58012	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Jan Smith (916)324-0705	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC will not proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Cleanup of Non-Listed Sites R-2005-19		CCR Title & Sections Affected: Title 22: 67402.50-67402.99		Statutes Being Implemented: Health and Safety Code sections 58009 and 58010 and Civil Code sections 3479 and 3494	
Responsible Agency Unit: Site Mitigation & Brownfields Reuse Program	Contact Person & Phone Number: Laurie Grouard (916) 323-3394	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
Report on the status of all uncompleted rulemaking described on previous calendars: DTSC has decided not to proceed with this rulemaking at this time.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Consolidation of Universal Waste Regulations and Finalized Alternative Management Standards for Electronic Wastes R-2006-02		CCR Title & Sections Affected: amend 66260.10, 66261.4, 66261.9, 66261.50, appendix X of chapter 11, 66264.1, 66265.1, 66273.1-66273.9, 66273.30 - 66273.41, 66273.50 - 66273.56, 66273.60 - 66273.62, and 66273.70; add sections: 66260.201, 66260.202, 66273.33.5, 66273.71- 66273.77; repeal and reserve sections: 66273.7.1 - 66273.7.10; and repeal 66273.10 - 66273.21, and 66273.80 - 66273.90		Statutes Being Implemented: Electronic Waste Recycling Act of 2003 (Stats. 2003, ch. 526 as amended by SB 50, Stats. 2004 ch. 863). The proposed regulations will implement Public Resources Code, part 3, division 30, chapter 8.5 (commencing with Pub. Res. Code §42460) and Health and Safety Code, division 20, chapter 6.5, article 10.3 (commencing with Health and Saf. Code §25214.9).	
Responsible Agency Unit: Regulatory and Program Development Branch	Contact Person & Phone Number: Ellen L. Haertle, 916-324-2437	Projected Dates:			
		Notice Published: 03/08	Public Hearing: 04/08	Adoption by DTSC: 05/08	To OAL for review: 07/08
Report on the status of all uncompleted rulemaking described on previous calendars:					
This is the final rulemaking which incorporates provisions adopted in 2004 and 2006 via emergency regulations pursuant to the Electronic Waste Recycling Act of 2003 (Stats. 2003, ch. 526 as amended by SB 50, Stats. 2004 ch. 863). This final rulemaking will include implementing standards for recycling electronic wastes, identifying covered electronic devices and setting management standards for these devices, and establishing the restriction of sales of certain electronic devices. This rulemaking incorporates the following emergency regulations: R-03-19, R-04-12, R-2005-06, R-2006-05, and R-2006-06.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Land Disposal Restriction-RCRA Consistency R-2007-01		CCR Title & Sections Affected: Title 22: Chapter 18		Statutes Being Implemented: Health and Safety Code, sections 25150 and 25159.5	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Li Tang (916) 322-2505	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: 04/08	To OAL for review: 04/08
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>DTSC is revising the regulations through a streamline adoption (Health & Safety Code, sec. 25159.1)) to address U.S. Environmental Protection Agency comments identified in the Resource Conservation and Recovery Act Authorization process.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Corrective Action Management Unit (RCRA Consistency) R-2007-02		CCR Title & Sections Affected: Title 22: 66264.552		Statutes Being Implemented: Health and Safety Code, sections 25150 and 25159.5.	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Li Tang (916) 322-2505	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: 04/08	To OAL for review: 04/08
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>DTSC is revising the regulations through a streamline adoption (Health and Safety Code, sec. 25159.1) to address U.S. Environmental Protection Agency comments identified in the Resource Conservation and Recovery Act Authorization process.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Extending Post Closure Care R-2007-05		CCR Title & Sections Affected: Title 22: Chapter 14 & 15 articles 7 and 8		Statutes Being Implemented: Health and Safety Code section 25245	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Keith Kihara 916-255-3628	Projected Dates:			
		Notice Published: 6/08	Public Hearing: 8/08	Adoption by DTSC: 12/08	To OAL for review: 12/08
Report on the status of all uncompleted rulemaking described on previous calendars: Regulations being developed by DTSC.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Financial Assurance R-2007-06		CCR Title & Sections Affected: Title 22: Chapter 14 & 15 Articles 7 and 8		Statutes Being Implemented: Health and Safety Code section 25245	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Keith Kihara (916) 255-3628	Projected Dates:			
		Notice Published: 6/08	Public Hearing: 8/08	Adoption by DTSC: 12/08	To OAL for review: 12/08
Report on the status of all uncompleted rulemaking described on previous calendars: Regulations being developed by DTSC.					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Tank Regulations - Phase II R-2007-07		CCR Title & Sections Affected: Title 22: 66260.10, 66264.190, 66264.191, 66264.192, 66264.193, 66264.198, 66265.191, 66265.192, 66265.193, 66265.198		Statutes Being Implemented: Health and Safety Code sections 25150, 25159, and 58012	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: Tony Hashemian (916) 322-6649	Projected Dates:			
		Notice Published: N/A	Public Hearing: N/A	Adoption by DTSC: N/A	To OAL for review: N/A
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>This rulemaking is on hold pending further consideration. This rulemaking would clarify existing regulations regarding exempting some underground storage tanks at generator and on-site treatment facilities from secondary containment requirements. Also, add on-going tank assessment requirements for tanks containing Resource Conservation and Recovery Act hazardous waste.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Electronic Submittal of Information R-2007-12		CCR Title & Sections Affected: Title 22: division 4.5, sections 67400.1 - .49		Statutes Being Implemented: AB 2144 (stats. 2006, ch. 562), Health and Safety Code section 57013	
Responsible Agency Unit: DTSC, Office of Scientific and Program Data Analysis (OSPDA)	Contact Person & Phone Number: Shannon Similai (916) 323-3397	Projected Dates:			
		Notice Published: 8/08	Public Hearing: 10/08	Adoption by DTSC: 3/09	To OAL for review: 3/09
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>This proposed regulation was submitted as part of the 2007 Rulemaking Calendar. An internal departmental workgroup has been conducting meetings to develop draft regulations text. The workgroup has been consulting with SWRCB and Cal/EPA regarding regulations already in place for electronic submittal of information. DTSC will begin preparing for and holding public workshops to solicit stakeholder input. DTSC's time frame is to begin the 45-day public notice period in August 2008, and its goal is to have the rulemaking adopted around March 2009.</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Permit by Rule for Onsite Treatment of Metallic Phosphide R-2007-15		CCR Title & Sections Affected: Title 22: 67450.11		Statutes Being Implemented: Health and Safety Code sections 25150, 25200.17 and 58012	
Responsible Agency Unit: Hazardous Waste Management Program	Contact Person & Phone Number: John Low (916)322-5533	Projected Dates:			
		Notice Published: 06/08	Public Hearing: 08/08	Adoption by DTSC: 12/08	To OAL for review: 12/08
<p>Report on the status of all uncompleted rulemaking described on previous calendars:</p> <p>Not applicable, this is a new rulemaking</p>					

DEPARTMENT OF TOXIC SUBSTANCES CONTROL
2008 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR TO THE YEAR 2007

Subject: Management of Ammunition R-2008-01		CCR Title & Sections Affected: Title 22: article and sections to be determined		Statutes Being Implemented: Health and Safety Code sections 25150 and 25201	
Responsible Agency Unit: DTSC and Hazardous Waste Management Program	Contact Person & Phone Number: Jan Smith (916)324-0705	Projected Dates:			
		Notice Published: 09/08	Public Hearing: 11/08	Adoption by DTSC: 01/09	To OAL for review: 01/09
Report on the status of all uncompleted rulemaking described on previous calendars: Potential new rulemaking to authorize the fire marshal to handle and destroy ammunition.					